

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael S. Kinch

Application No.: 10/565,771

Filed: August 25, 2006

For: DIAGNOSIS OF PRE-CANCEROUS
CONDITIONS USING PCDGF AGENTS

Confirmation No.: 2188

Group Art Unit: 1643

Examiner: Harris, Alana M.

Attorney Docket No.: PC300US

MS Amendment

Commissioner for Patents

P.O.Box 1450

Alexandria, VA 22313-1450

Declaration Under 35 U.S.C. § 1.132 of Michael S. Kinch

Sir:

I, Michael S. Kinch of Laytonsville, MD. hereby declare as follows:

1. I am the inventor of the subject matter described and claimed in the above-identified application.
2. I understand that the Examiner rejected claims 1-24 of the above identified application based on subject matter described but not claimed in PCT Patent Publication Number WO2005/000207, which has claimed priority, *inter alia* to US Provisional Patent Application 60/474,93 filed on May 30, 2003. In particular, I understand that the Examiner rejected the pending claims based on the teaching in PCT Patent Publication Number WO2005/000207 of increased expression of PCDGF in precancerous conditions (see, Office Action at page 4, line 3).
3. I am the sole inventor of the subject of increased expression of PCDGF in precancerous conditions, which is disclosed in PCT Patent Publication Number WO2005/000207 and relied on in the rejection.
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title XVIII of the United

States Code and that willful false statements may jeopardize the validity of this Application for Patent or any patent issuing thereon.

Michael S. Kinch

Dated: 4 March 2009

Signature: 